Bourne Board of Health 24 Perry Avenue Bu zzards Bay, MA 02532

June 15, 2022

Re:

Variance Requested For 128 Emmons Road, Bourne, MA 02553 Jonathan Levitt and Marni Levitt, Owners

Dear Members:

In accordance with the State Environmental Code, Title 5: 310 CMR 15.410, please accept this letter of request to be heard before the Board of Health at their next meeting to discuss relief from Title 5 and/or Board of Health Regulations for the installation of an upgraded septic system at 128 Emmons Road, Bourne, MA 02553. We respectfully request consideration of the following local upgrade approvals/variances to accommodate our project.

The Variances requested are:

A 49.9 foot variance from the Bourne Board of Health 150 Foot Setback Regulation for the placement of a leaching facility within 100.1 feet of the top of a coastal bank;

Enclosed is the completed original variance application and design plans, together with seven (7) copies of all documents and plans. We have notified all abutters as required and attached proof of mailing. Thank you in advance for your consideration of this request.

p://Ken B/128 Emmons Rd BOH Variance

Enclosures: See attached list

Enclosures:

128 Emmons Road BOH Variance

\$250.00 Check for application fee

\$125.00 Check for permit fee

Letter to Board of Health Members requesting waiver or variance

Application For Septic Variance or Waiver Requests- Pages #1, #2, #3

Letter in Support of Requested Variance

Copy of Client Authorization and Directive

Copy of Bourne Assessors property card Map 34.0 Parcel 5-3

Copy of Bourne Assessors property card Map 34.0 Parcel 5-2

Letter To Health Agent re Proof of Notice to Abutters

Copy of certified abutters list

Copy of letter sent to abutters

Copies of white certified mail slips

Copy of Bio-Microbics Certification for General Use of MicroFAST Treatment System Model 0.9

Copy of Bio-Microbics General Use Certification MicroFAST Treatment System Model 0.9

Copy of Bio-Microbics detail sheets #1-#4

Copy of Disclosure Notice for the I/A technology System-Dates

Copy of Title 5 Bedroom Count Deed Restriction

Nitrogen Loading Calculation Sheets for 3 bedrooms

Nitrogen Loading Calculation Sheets for proposed 7 bedrooms

Percentage of Increase Worksheet

Architectural Plans for Existing House-Ground Floor EX-01

Architectural Plans for Existing House-1st Floor EX-02

Architectural Plans for Existing House-2nd Floor EX-03

Architectural Plans for Proposed House and Garage, Sheets#1, #2, #3

Site Plan Prepared for Jonathan and Marni Levitt of 128 Emmons Road Bourne, MA 06/01/22

Sheet 1 of 2 and Sheet 2 of 2

Proposed Site Plan Prepared for Jonathan and Marni Levitt of 128 Emmons Road Bourne, MA 06/01/22 Sheet 1 of 1



Bourne Board of Llealth Application for Septic Variance or Waiver Requests



In accordance with the established procedures of the Bourne Board of Health, this application is for septic variances and waivers which have not been approved administratively and require approval at a public meeting. Please use the following application form for guidance on how to apply for variances and waivers which serve new construction, changes in use, or increases in flow to on-site sewage disposal systems with design flows of less than 10,000 gallons/ day.

1. Facility Name and Address:
Owner's Name
Jonathan Levitt and Marni Levitt
Facility's Street Address
128 Emmons Road, Bourne, MA
Owner's Telephone Number
617-548-1289
Owner's E-mail Address
iplevitt36@gmail.com
Owner's Mailing Address
128 Emmons Road, Bourne, MA
2. Applicant or Preparer's Name and Address (if different from above):
Preparer's Name
J. E. Landers-Cauley.
Company
J. E. Landers-Cauley, P.E.
Telephone Number
<u>508 540-7733</u>
E-mail Address
jlandersca@aol.com
Mailing Address
Box 364 West Falmouth Highway, MA 02574 State/ Zip Code
3. Type of Facility (check all that apply):
☑ Residential □ Commercial □ Institutional □ School □ Industrial
A Describe Feelite // 1 at a man
4. Describe Facility (i.e. single-family dwelling, 45 seat restaurant): Three bedroom single family house with existing septic system to be replaced with microfast system and service to a second single family house with existing
and conventional S.A.S. for proposed coven hadrons to
and garage.
5. Type of System (check all that apply): Conventional Title 5 📈 I/A System
Pumped System A Gravity System D.B.
Gravity System

6. Describe the existing/ proposed septic system components: Existing: Conventional Title V system for 3 bedroom house.
Proposed: I/A for 7 bedroom system with 2,500 gailon tank, microfast system with S.A.S. & reserve area.
7. Design Flow per 310 CMR 15.203 (in gallons/ day):
770 gallons per day
Design flow of system: 770 gallons per day
Total design flow of facility:
8. Enclose a letter of request for variances/ waivers which makes reference to the specific provisions of Title 5 and/ or the Board Bourne of Health Regulations for which a variance is sought. Please use this opportunity to demonstrate compliance with 310 CMR 15.410, and to justify the relevant facts and circumstances of the individual case. Note that with regard to variances for new construction, enforcement of the provision from which a variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust. Be sure to explain why full compliance with the applicable regulations is not feasible, and how a level of environmental protection that is at least equivalent to that provided under Title 5 and the Board of Health Regulations can be achieved without strict application of said regulations.
9. In order for this Application to be deemed complete, it must be accompanied by the following:
Application Fees paid to the Town of Bourne. Letter of request describing nature of variances (see samples) Six sets of complete plans and specifications. One with original stamp of design engineer. Nitrogen Loading Calculation Sheet(s) if applicable If abutter notification is required, one of each of the following must be submitted: A copy of the certified list of abutters from the Assessor's Department Sample letter for abutter notification postmarked 10 days prior to meeting date Proof of certified mailing (receipts) meeting requirements of 310 CMR 15.405(2) Proposals for installation of Innovative/ Alternative septic systems must be accompanied by: A copy of the Certification for Use including technology specific conditions Draft disclosure notice for the I/A technology to be recorded in the deed Hydrogeologic data for all leaching facilities proposed within 100ft of a wetland/ watercourse Percentage of Increase Worksheet may be required for waivers or increases in flow
10. Certification:
"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there may be significant consequences for submitting false information, including, but not limited to, penalties or fine and/or imprisonment for deliberate violations."
Facility Owner's Signature 17/am ltt Date 4-4-22
Print Name Jonathan Levitt Marni Levitt
Signature of Preparer Education Date Co 22
Print Name J. E. Landers-Cauley

		For Office Use Only		
Completed Application F Hearing Date:			d By:	
Circle all that apply: Notes:	Approved	Continued	Disapproved	Other

Bourne Board of Health 24 Perry Avenue Bu zzards Bay, MA 02532

June 15, 2022

Re:

Letter in Support of Variance Requested For 128 Emmons Road, Bourne, MA 02553 Jonathan Levitt and Marni Levitt, Owners

Dear Members:

I represent the Applicant(s) and owners, Jonathan Levitt and Marni Levitt.

The Applicant(s) own 128 Emmons Road, being shown on Bourne Assessors records as Map 34.0 Parcel 5-3, containing 39,204 sq ft. There is an existing 3 bedroom house and garage on this parcel. The Applicant(s) also own a one third interest in a second parcel, being shown on Bourne Assessors records as Map 34.0 Parcel 5-2, containing 3.7 acres. There are no structures on the second parcel.

The Applicant(s) propose to cease using the existing septic system, pump it, fill it, remove it to a suitable landfill, and to install a new I/A Innovative Technology system for a 7 bedroom septic system.

Nitrogen Loading Worksheets have been submitted with this Request for Variance for the existing 3 bedroom septic system and for the proposed 7 bedroom I/A system.

The proposed new S.A.S. system is less than 150 feet from the top of a coastal bank and the Applicant(s) are requesting a variance or waiver from the local Town of Bourne regulation requiring the S.A.S. portion of the septic systems to be at least 150 feet from the top of a coastal bank.

At the present time the existing septic system consists of a properly functioning conventional 3 bedroom Title V system in full compliance with all state and local conservation and Bourne Board of Health regulations.

The proposed I/A Technology for the proposed 7 bedroom system will provide at least the same level of environmental and health protections that would be obtained from placing a conventional 3 bedroom Title V system more than 150 feet from the top of a coastal bank.

Sincerely,

Landers-Cauley, P.E.

p://Ken B/128 Emmons Rd BOH Variance

CLIENT AUTHORIZATION AND DIRECTIVE

We, Jonathan Levitt and Marni Levitt of Bourne, MA, being the owner(s) of the real property located at 128 Emmons Road, Bourne, MA, and having engaged John E Landers-Cauley, P.E. to act as my/our engineer and consultant concerning

Bourne Conservation Commission for 128 Emmons Road, Bourne, MA

Bourne Board of Health permitting for 17 Scotch House Cove Road, Bourne, MA

(hereinafter referred to as the "project") do hereby authorize and direct John E. Landers, Cauley, P.E. and all of his employees, agents and servants,

To represent me/us before the Bourne Board of Health and/or Bourne Conservation Commission and/or Bourne Zoning Board of Appeals and/or Bourne Planning Board concerning this project; and

to prepare and file with the appropriate permit granting authorities, the necessary and appropriate civil engineering plan(s) and application(s) for permits and/or approvals that may be required for the project; and

to sign and deliver on my/our behalf any application, permit, certification, authorization, instrument or other document necessary or appropriate to obtain any required permit for the project; and

to attend and represent me/us at any public meeting or hearing related to the project; and

to consent to the continuance or rescileduling or closing of any public meeting or hearing or other matter related to the project; and to consent to any condition or requirement that may be requested by any permit granting authority; and

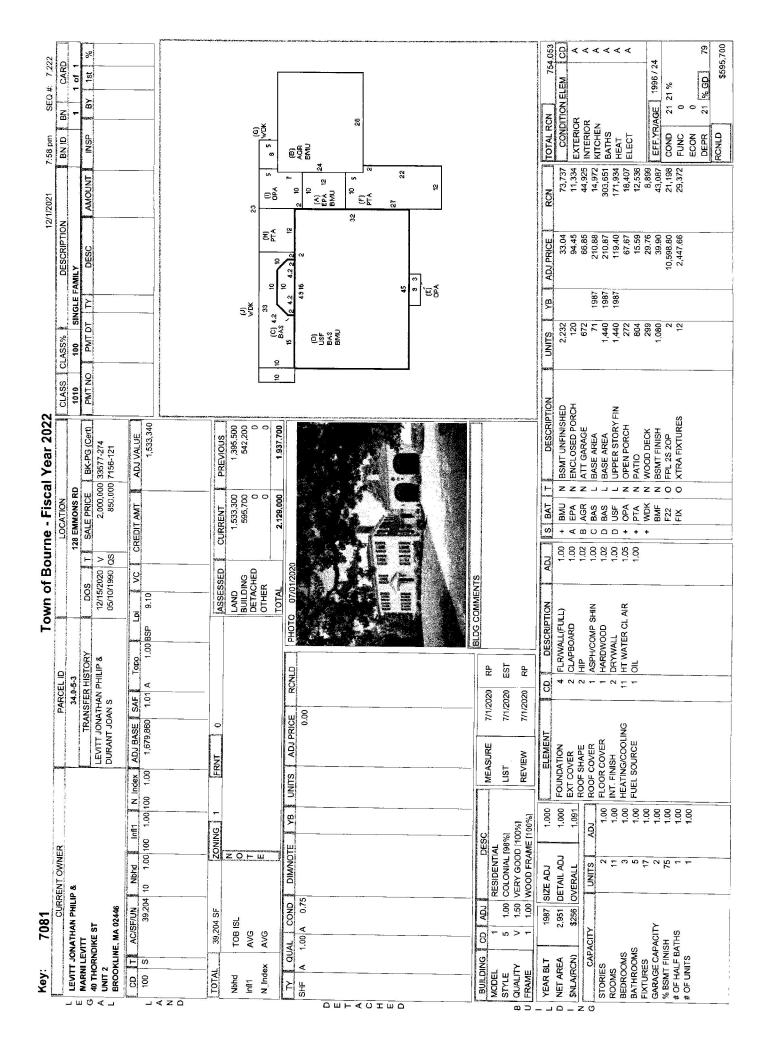
to do or take any other necessary or appropriate action as may be related to the project all at such time(s) and in such manner as John E. Landers, Cauley, P.E. may deem appropriate

I/we represent to John E. Landers-Cauley, P.E. that I/we are the owner(s) of the above described real property and that I/we have the authority to execute and deliver this Authorization and Directive.

Executed as a sealed instrument.

Dated: 6-6-22	Jonathan Levitt., Co-Owner
Dated:(2-(2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-	Marie Lett
, Co-Owner	Marni Levitt

c://documents/authorization statement



LEVITT JONATHAN PHILIP &		S#350#	PARCEL ID	30-ye		LOCATION		CLASS CLASS%	ASS%	C	DESCRIPTION	N	NA CINA	CARD
_			34.0-5-2	-	Mercoland and the section of the second section of	CR SNOWNE O	Andrew Street, and the street,	1330	9-	INDEVELOPABLE LAND	FIAND	-	4	200
		TRA	TRANSFER HISTORY		DOS	T SALE PRICE	BK-PG (Cert)	PMT NO	10	TY		AMOUNT	INSP BY	1st %
A UNIT 2 L BROOKLINE, MA 02446		LEVITT JONA DURANT JOA	LEVITT JONATHAN PHILIP & DURANT JOAN S AND		98	V 2,000,00 J 45,00	2,000,000 33577-274 45,000 11383-141	Park of the second control of the second con					-	
CD T AC/SF/UN Nbhd Infli	N Index	ADJIBASE	SAF	ic	- 3/	CPEDIT ANT	ADLIVALIE							_
A 0.500 10 1.00 100 A 0.733 10 1.00 100 A 2.467 10 1.00 100	888	62,230 21,805 2,181	1.00 A 1.00 A 1.00 90	1.00 BEX 1.00 BEX 0.10 BEX	4.90		31,120 15,980 5,380	* Previous	Previous value excludes abatement.	s abatement.	edicabatemente e scotte e fato en autro epp page	MACATA OPERA A REST RELEVAN CAREFORD CHISSE S	NO-CO-OFF OFF ANY PARK-DEPARK AND ADDRESS	
							- Common PASS COLUMN							
TOTAL 3.700 Acres ZONING	- -	FRNT 0			ASSESSED	CURRENT	PREVIOUS							
Z O F	parcel is in a velocity zone / owner has 1/3 interes parcel: assessed as 1/3 excess and 1/3 wetlands	zone / owner ha /3 excess and 1	parcel is in a velocity zone / owner has 1/3 interest of this parcel, assessed as 1/3 excess and 1/3 wetlands		LAND BUILDING DETACHED	52,500 0	208,500							
N_index AVG E				<u> </u>	OTHER	0 82 800	0							
BUILDING CD ADJ DESC MODEL	ME	MEASURE		BLDG COMMENTS	WMENTS									
STYLE QUALITY FRAME	REVI	LIST REVIEW						The distribution of the state o			A COLUMN AND AND AND AND AND AND AND AND AND AN		COLUMN TO COLUMN	
		ELEMENT	00	DESCRIPTION	NO ADJ	S BAT	T DESCRIPTION	TION	UNITS	YB AD.	ADJ PRICE	SCN.	TOTAL RCN	
DETAIL ADJ OVERALL	Визимустиривально									-	PER PART TO PART AND THE PART TO PART		CONDITION ELEM	LEM
CAPACITY UNITS AD	ADJ													
								. 1.4.				Land	EFF.YR/AGE COND FUNC ECON DEPR	% GD
												<u> </u>	RCNLD	

Terri Guarino, Health Agent Bourne Board of Health 24 Perry Avenue Buzzards Bay, MA 02532

June 13, 2022

Re:

Variance Request-Proof of Notice to Abutters 128 Emmons Road, Pocasset, MA Jonathan Levitt & Marni Levitt, Owners

Dear Ms Guarino:

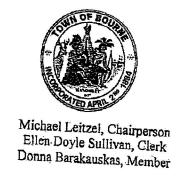
Enclosed please find copies of

- 1) Copy of certified abutters list; and
- 2) Copy of the corrected letter sent to the abutters
- 3) Copies of the white certified mail slips; and

Sincerely,

E. Landers-Cauley, P.E.

p://Ken B/128 Emmons Road BOH Variance



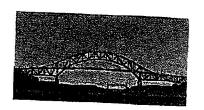
TOWN OF BOURNE

Board of Assessors

24 Perry Avenue

Buzzards Bay, MA 02532

(508) 759-0600 Ext. 1510 ◆ Fax (508) 759-8026



Rui Pereira, MAA Director of Assessing

June 8, 2022

J.E. Landers-Cauley P.E. PO Box 364 West Falmouth, MA 02574

Re:

Abutters List for Map 34 Parcel 5.3 Property address: 128 Emmons Road

As required by the Bourne Board of Health, pursuant with section 310 CMR 15.411(1), this is to certify that the attached list of names and addresses constitutes all of the parties in interest as shown on the most recent tax list of the Town of Bourne.

Abutting properties are: Map 34 Parcels 4, 5 & 5.2.

Your payment of \$10.00 has been received by the Bourne Assessor's Office.

Please be advised that this abutters list is only good for 30 days from the date on this letter. Expired abutters list can be recertified for an additional filing fee.

See enclosed for abutters mailing addresses.

Board of Assessors

Sun Sun Sin Sin -Michael Soift

	Bourne MA	ST Zla CalCounty MA 02026	MA 02559	MA 02446
		Melling City DEDHAN	POCASSET	BROOKLINE
		TRS SALLY PLACKSON REY TRUST 7078 340.6-0 COFFIN PETER B K RICHARD MAIN OF TOWN TO TRUST TO A 1212015 MAIN OF TOWN TO TRUST TO A 1212015 MAIN OF TOWN TO TRUST MAIN OF THE TRUST TRUST MAIN OF THE TRUST TRUST MAIN OF THE TRUST	POCASSET MA 02558	535/112/4 4D THORNDIKE ST 50 12/15/2020 UNIT 2 MA 02446
Report #24: Owner Listing Report Fiscal Year 2023	LCVCI BK-Parcary II	MMONS RD N 28810/231 1010 4/21/2015	0 EMMONS RD N 28156/154	1320 12/15/2020
Report #2	Localfon	130 E	1010 1010 N 1010 N 1010 N 0 EMMONS RD N	
	ler We hooding	KSON REV TRUST R RICHARD	LEVIT JONATHAN PHILIP & MARMI LEVIT	
ABUTTERS LIST LIVE Key IN 7077,7078,7080	Own JAGKSÓN TIMOTH	TRS SALLYP JAC COFFIN PETER B MAIG ED TO DOLLY	LEVIT JONATHAN PHILIP & MARMI LEVIT	n
Extract: Dettibuse: Filter. Sort	7077 340-4-0	7078 310.5-0	7080 340-5-2	Total Records:

June 9, 2022

Re:

128 Emmons Road, Pocasset, MA

CORRECTION TO NOTICE OF PUBLIC HEARING

Dear Abutter:

Unfortunately the location of the public hearing in prior notice sent to you is not correct. The hearing is tentatively scheduled for <u>June 22, 2022</u> at <u>5:30 p.m. in the Bourne Community Center, 239 Main Street, Buzzards Bay, MA 02532.</u>

In accordance with the State Environmental Code, Title 5, 310 CMR 15.00, you are hereby notified that the owners, Jonathan Levitt and Marni Levitt, have requested a hearing before the Bourne Board of Health for relief from Title 5 and/or the Bourne Board of Health Regulations for the installation of an upgraded septic system. The location of the property for this proposal is 128 Emmons Road, Bourne, MA 02553 where you are listed as an abutter. At said hearing the Board will discuss and possibly vote on:

A 49.9 foot variance from the Bourne Board of Health 150 Foot Setback Regulation for the placement of a leaching facility within 100.1 feet of the coastal bank

This hearing is tentatively scheduled for <u>June 22, 2022</u> at <u>5:30 p.m.</u> in the <u>Bourne Community Center</u>, <u>239 Main Street</u>, <u>Buzzards Bay</u>, <u>MA 02532</u>. Information regarding the hearing may be available for your review one week prior to the meeting at the Bourne Health Department, 24 Perry Avenue, Buzzards Bay, Monday through Friday from 8:30 a.m. until 4:30 p.m.

Meeting agendas are posted on the Town of Bourne website, www.townofbourne.com/health no less than 48 hours in advance of the hearing. Please confirm the date, time, and location of the meeting with the Town, in case of any changes. Should you have any questions or concerns, please do not hesitate to contact our office, J. E. Landers-Cauley, P.E., 508 540-7733, or the Bourne Health Department at 508 759-0600, ext. 1513.

Kenneth Breivogel for JE, Landes-Golley, P.E.

J. E. Landers-Cauley, P.E.

4472	U.S. Postal Service™ CERTIFIED MAIL® REC Domestic Mail Only For delivery information, visit our website	
4778	Certified Mail Fee \$3.75	0556
3160 0000	Extra Services & Fees (check box, add fee as approximate) Return Receipt (hardcopy) Return Receipt (electronic) Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery \$ Adult Signature Restricted Delivery \$ Postage	0.5 Postmark Here
Ш	Total Postage and Fees Levitt Jonathan	Philip & 2022
7020	Sent To Marni Levi Street and Apt. No., or F(City, State, ZIP+4* Brookline, MA (tt
	PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

-	
399	U.S. Postal Service [™] CERTIFIED MAIL® RECEIPT Domestic Mail Only
E H	For delivery information, visit our website at www.usps.com®.
3160 0000 4118	Certified Mail Fee \$3.75 \$ Extra Services & Fees (check box, add fee \$1.05 Return Receipt (hardcopy) \$ \$1.00 Certified Mail Restricted Delivery \$ \$0.00 Adult Signature Required \$ \$1.00 Adult Signature Restricted Delivery \$ \$0.00 Second Signature Restricted Delivery \$ \$0.00 Certified Mail Restricted Delivery \$ \$0.00 Cert
m	Total Postage and \$7. Rackson Times 18. 2022
7020	s Sent To Trs Sally P Jackson Rev Trust
~	Street and Apt. No., 22 Old Farm Rd
	City, State, ZIP+4* Dedham, MA 02026
•	The state of the s

